

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

CARDINAL HEALTH 200, LLC f/k/a
CARDINAL HEALTH 200, INC. and
CARDINAL HEALTH 110, LLC f/d/a
CARDINAL HEALTH 110, INC.

PLAINTIFFS

v.

Case No. 4:15-cv-04058

DEQUEEN MEDICAL CENTER, INC.,
JOHN A. MATHESON, and CHRISTY
B. MATHESON

DEFENDANTS

ORDER

Before the Court is the Plaintiffs' Motion for Default Judgment against Defendants DeQueen Medical Center, Inc., John A. Matheson, and Christy B. Matheson under Federal Rule of Civil Procedure 55(b)(2). (ECF No. 9). There has been no response to this motion and the time for doing so has passed. Plaintiffs bring this action to reduce to judgment amounts due and payable to them by Defendants.

This Court has discretion under Fed. R. Civ. P. 55(b)(2) to enter a default judgment. *See Inman v. Am. Home Furniture Placement, Inc.*, 120 F.3d 117, 118 (8th Cir. 1997). When moving for a default judgment, the plaintiff must prove its entitlement to the requested damages. *Oberstar v. FDIC*, 987 F.2d 494, 505 n.9 (8th Cir. 1993). The Court need not hold a hearing on the damages if the claimed amount can be ascertained from facts of record. *See Stephenson v. El-Batrawi*, 524 F.3d 907, 915 (8th Cir. 2008) (citation omitted).

Plaintiffs request judgment on the trade accounts in the total amount of \$85,521.25, plus service charges accruing at the contractual rate of 1.5% per month from June 10, 2015 through the date of the judgment. They also request attorney's fees and expenses in the amount of \$5,491.73.

Defendants have disputed none of these amounts. However, Plaintiff's have failed to demonstrate to the Court that it is appropriate in this case to deviate from the normal rule that a party is responsible for their own attorneys fees. Thus, their request for attorneys' fees is denied without prejudice.

Accordingly, Plaintiff's Motion for Default Judgment is **GRANTED IN PART** and **DENIED IN PART**. Judgment is hereby entered pursuant to Fed. R. Civ. P. 55(b)(2) in favor of Cardinal Health 200, LLC f/k/a Cardinal Heath 200, Inc. and Cardinal Health 110, LLC f/k/a Cardinal Health 110, Inc. and against DeQueen Medical Center, Inc., John A. Matheson, and Christy B. Matheson for the unpaid balance in the amount of \$85,521.25, plus service charges accruing at the contractual rate of 1.5% per month from June 10, 2015 through the date of the judgment.

IT IS SO ORDERED, this 8th day of January, 2016.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge